

**United States District Court****for****Southern District of Ohio****Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: **Todd B Oliver**Case Number: **1:00CR00093**Name of Sentencing Judicial Officer: **The Honorable S. Arthur Spiegel,  
Senior United States District Judge**Date of Original Sentence: **June 14, 2001**Original Offense: **Firearms**Original Sentence: **68 month(s) prison, 36 month(s) supervised release**Type of Supervision: **Term Of Supervised Release** Date Supervision Commenced: **October 12, 2005**Assistant U.S. Attorney: **Timothy D. Oakley, Jr.** Defense Attorney: **Unassigned****PETITIONING THE COURT**

- To issue a warrant  
 To issue an Order to Appear and Show Cause  
 To grant an exception to revocation without a hearing.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1:"The defendant shall not commit another federal, state, or local crime."	On November 28, 2005, the Grand Jury for the Hamilton County, Ohio Court of Common Pleas returned a two-count Indictment against the offender charging him with Possession of Cocaine and Trafficking in Cocaine. On September 11, 2006 he signed an entry entering a plea of guilty to both charges.

**U.S. Probation Officer Recommendation:**

Todd Oliver was sentenced to 68 months imprisonment, to be followed by three years of supervised release, on June 14, 2001 by the Honorable S. Arthur Spiegel, Senior United States District Judge for the Southern District of Ohio, after having been convicted of Being a Felon in Possession of a Firearm, in violation in 18 U.S.C. § 922(g). Oliver was released from imprisonment October 12, 2005 and he commenced his term of supervised release. He is being supervised by the undersigned United States Probation Officer. He was placed on the color code program (random drug testing) at the time of his first office visit on October 14, 2005. He tested positive for marijuana use on October 14, 2005 and for cocaine use October 21, 2005. Oliver voluntarily consented to a substance abuse treatment modification and the modification was approved by the Court on November 2, 2005. He was referred to treatment and kept his initial appointment with the Crossroads Center on November 17, 2005.

A routine record check indicated the offender was charged with Possession of Cocaine and Trafficking in Cocaine on November 28, 2005 in Hamilton County, Ohio Common Pleas Court case number B-0511510. His arrest for this alleged offense occurred on November 18, 2005. It is alleged that he was in possession of more than one gram but less than five grams of cocaine base (crack) which was packaged for shipment or distribution. The offender was being held in custody pending a trial. This officer notified the Court of the pending charges and recommended no action until a disposition was determined. The Court concurred with that recommendation on December 22, 2005.

On September 11, 2006, the offender changed his not guilty plea and entered a plea of guilty to both counts. According to the entry, the prosecution has agreed to recommend a sentence of 10 months on each count, to be served concurrently, with credit for 10 months already served. The offender was released on an own recognizance bond on September 11, 2006. Sentencing is scheduled for September 29, 2006.

Although the defendant has been released on an own recognizance bond, he has now entered a plea of guilty to the state charges. He has a significant prior criminal history dating back to 1983, with 18 of his prior convictions being drug related. He has been convicted of trafficking in drugs on three occasions, and is facing his fourth conviction as noted above. It is this officer's opinion the offender represents a danger to the community and it is recommended the Court issue a warrant for the defendant's arrest so he may be brought before the Court to answer the above alleged violation of his Supervised Release.

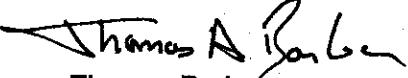
The term of supervision should be

- Revoked.
- Extended for years, for a total term of years.
- Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
- The conditions of supervision should be modified as follows:

I declare under penalty of perjury that  
the foregoing is true and correct.

Approved,

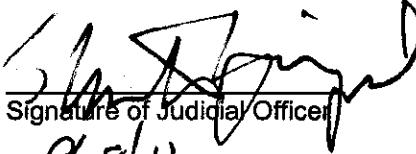
Executed on September 14, 2006 by

  
Thomas Barbeau  
U.S. Probation Officer

  
John Cole  
Supervising U.S. Probation Officer  
Date: September 14, 2006

#### THE COURT ORDERS:

- No Action
- The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the issuance of a Warrant for his/her arrest.
- The issuance of an Order to Appear and Show Cause
- The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- Other

  
Signature of Judicial Officer  
9/18/06  
Date